VIRGINIA GAZETTE, AND GEN^{L}. ADVERTISER.

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For Sale, or to be Rented,

THE HOUSE and GROUND with the appurtenances, belonging to the eſtate of Lewis Burwell, deceaſed, in this city. The houſe is built of brick, with a dining and a drawing room, each 24 by 28 feet, well finiſhed, and commanding very extenſive views of the river and country, which can never be intercepted; it alſo contains a ſetting room and ſix chambers, one of which can be entered from the ſtreet, and is well adapted to the purpoſe of an office for buſineſs. In front and near are ſtrong porticos, built entirely of brick: that in front floored with marble. There are alſo an excellent kitchen, with a well fixed grate and ovens for cooking, a laundry, a vault, convenient dry cellars, a ſtable for two horſes, and an unfiniſhed carriage houſe. The ground is, in quantity, between two and three acres, about two acres whereof are well inloſed, and divided into a garden and grazing lot. This property is ſituated not far from the capitol, with ſtreets on three ſides; affords a moſt extenſive, convenient and elegant eſtabliſhment, and will admit of diviſions into ſmaller lots, as the growth of the city ſhall enhance the value of ground. Refiding very near the property, I can, at any time, ſhew it to thoſe who may wiſh to view it. The objects to which the proceeds are, by Mr. Burwell's will, to be appropriated, enable me to give very conſiderable accommodation in terms of payment, upon an allowance of intereſt.

E. CARRINGTON,
Executor of L. Burwell, dec.

City of Richmond, April 18, 1805. oawtf

NOTICE.

THERE was committed as a runaway to the jail of this county, on the 19th February laſt, a Negro Man, 5 feet 4 inches high, ſays his name is DAVID; that he was purchaſed by a gentleman from a man in Lancaſter, Pennſylvania, and ſold to a Mr. Ben, Henderſon, of South Carolina. The ſaid runaway is about 24 years of age. His owner is deſired to prove his property, pay charges and take him away.

J. W. REVERE, Jailor.

1aw3m *Lancaſter Court-Houſe, Virginia.*

SWEET SPRINGS,

Monroe County—Virginia.

ROBERT DOUTHAT,

INFORMS the Public, he will keep the Sweet Springs the two enſuing ſeaſons, and will be ſupplied with every conveniency the ſituation of them will admit of, on his former terms. He has enlarged his Stables, and has improved his Houſes and Cabins, ſo as to make them much more comfortable than they were heretofore. He will have an aſſortment of DRY GOODS, ſuitable for the ſeaſon. *May* 20, 1805.

NOTICE.

WHEREAS a bond given by the ſubſcriber, to Mr. Robert Waller, adm'r. of Wm. Waller, for 65l. has been loſt or miſlaid, ſo that the ſame cannot be recovered: this is to make public, that the amount of ſaid bond, and intereſt thereon, has been paid, to Mr. George Nicholſon, who afterwards became the adm'r. to the eſtate aforeſaid. This advertiſement will be plead in bar to any future claim on account of ſaid bond.

GAWIN L. CORBIN.

York county, May 21ſt, 1805.

SURVEYOR's OFFICE.

J. WOOD, mathematical ſurveyor for the city of Richmond, informs thoſe perſons, who may deſire to have any Lots ſurveyed or divided, to apply at his houſe oppoſite to Mr. Copland's, Shockoe Hill, and when from home, to leave a Card either there, or at Mr. *John Moody's*, the corner of the ſquare. All other ſurveyors are prohibited by an ordinance of the Common-Hall, from ſurveying any ſquares or lots, or running lines within the city bounds, under the penalty of the legal fees of the city ſurveyor for every ſuch offence. 3t

NOTICE.

A PERSON well qualified to teach an Engliſh School, and the rudiments of Latin, may find an eligiqle ſituation in the ACADEMY of *Alexandria*. Satisfactory recommendations muſt be produced, and appliration made in perſon or by letter, to

A. HOLBROOK, *Teacher.*

April 27th, 1805. 4t

WILL BE SOLD,

At Public Auction, for ready money, on the 19th day of Auguſt next, at Laurence Gibbons's Tavern in York-Town,

A TRACT OF LAND,

LYING in the county of York, containing one hundred and fifty acres, more or leſs, conveyed by Samuel Eddins to the late Samuel Shields and his heirs, in truſt, to raiſe by ſale three ſeveral ſums of money due to John Jameſon, William Cary, and Richard Bowler — This tract of land is covered with excellent timber, and lies convenient to navigation.

ROBERT & SAMUEL SHIELDS,
Heirs of ſaid
SAMUEL SHIELDS, dec.

May 23d, 1805. 4w.

Blank Bills of Exchange

For Sale at this Office.

THE SUBSCRIBER,

DESIROUS *to cloſe his buſineſs in this place, as ſoon as poſſible, is induced to offer for ſale, the following* VALUABLE PROPERTY, viz.—

A convenient two ſtory Dwelling Houſe, 24 feet ſquare, having one room and a paſſage on the lower floor, two rooms on the ſecond floor, and two good rooms in the garret; a cellar with plank floor, and divided into three apartments, one uſed for cooking; the yard incloſed with a brick wall ſeven feet high—the whole in good repair.—This tenement is ſituated near the Bell Tavern, on the croſs ſtreet leading to the Rock Landing, and is inſured in the Mutual Inſurance Company againſt Fire in the ſtate of Virginia, and the premiums paid.

Eleven unimproved half acre Lots, on Shockoe Hill.

600 acres Military Land in Kenhawa county, on the waters of Old Town creek, a branch of Ohio river, being part of a grant made to George Muſe, Adam Stevens, Andrew Lewis, and others, in the year 1772.

25 tracts of Land in Montgomery county, containing 32,172¼ *acres, the whole patented in my name, viz.*

4,000 acres ſurveyed 3d April, 1786, *in Montgomery county, on Cole river.*

3080 acres ſurveyed 24th July, 1786, *in ſame county, on Sixteen Mile creek, adjoining the late gen. Waſhington's ſurvey on Kenhawa river.*

3062¼ acres ſurveyed 23d July, 1786, *in ſame county, on the Loop waters, waters of New river.*

1000 acres ſurveyed 13th May, 1786, *in ſame county, on the Ohio river.*

3210 acres ſurveyed 5th April, 1786, *in ſame county, ſouth of a creek running into Cole river.*

2138 acres ſurveyed 21ſt February, 1787, *in ſame county, on Cole river.*

320 acres, ſurveyed 3d February, 1787, *in ſame county, on the waters of Cooper's Creek and Little Blue Stout.*

1300 acres, ſurveyed 16th February, 1787, *in ſame county, on the head waters of the South Fork of Cole river, that heads againſt Guyandott.*

95 acres, ſurveyed 10th February, 1787, *in ſame county, on the head waters of Glade creek.*

78 acres ſurveyed 8th February, 1787, *in ſame county, on a branch emptying into Glade creek, on the ſouth ſide of the ſame, and about one mile above the ford of ſaid creek.*

500 acres, ſurveyed 10th February, 1787, *in ſame county, on the North fork of Mud river, that heads againſt the Guyandott.*

1500 acres, ſurveyed 12th May, 1786, *in ſame county, on the Ohio river.*

2000 acres, ſurveyed 8th May, 1786, *in ſame county, on the Great Kenhawa.*

1000 acres, ſurveyed 16th May, 1786, *in ſame county, and on ſame river.*

263 acres, ſurveyed 8th February, 1787, *in ſame county, on the head of Glade creek.*

214 acres, ſurveyed 7th Feb. 1787, *in ſame county, on the waters of Glade creek, on the ſouth ſide thereof.*

135 acres, ſurveyed 6th February, 1787, *in ſame county, on the weſt end of Joe's Ridge, and on the waters of Glade creek.*

154 acres, ſurveyed 6th February, 1787, *in ſame county, on Joe's Ridge.*

228 acres, ſurveyed 6th February, 1787, *in ſame county, on Joe's Ridge, and the waters of Glade and Cooper's creek.*

414 acres, ſurveyed 22d February, 1787, *in ſame county, on the ſecond fork of Cole river, on the road croſſing from Pinny river to Guyandott.*

2000 acres, ſurveyed 26th Februory, 1787, *in ſame county, under the big pipe Stem Knob, and running down both ſides of the creek.*

416 acres ſurveyed 4th February, 1787, *in ſame county, on the waters of Cooper's creek and Joe's Ridge.*

380 acres ſurveyed 3d February, 1787, *in ſame county, on the head waters of Cooper's creeek.*

3,338 acres by ſurvey 20th Februery, 1787, *in ſame county, on the ſouth fork of Cole river.*

1,345 acres by ſurvey 2d February 1787, *in ſame county, on the head waters of little Blue Stone, about half a mile north from the white oak lick.*

Three tracts of land in Monongalia county, patented in my name, viz:

350 acres by ſurvey 1ſt June, 1796, *in Monongalia county, adjoining Matthew Richey's land, and the Randolph county line, on the waters of Cheat river.*

400 acres ſurveyed 20th October, 1797, *in ſame county, adjoining lands of Abner Harper, above the mouth of White day creek.*

400 acres ſurveyed 15th November, 1797, *in ſame county, adjoining Peter Drago, on Finches run, to include an improvement made in the year* 1773.

1000 acres in ſame county, on the weſt of cheat-river, above the lands of Thomas Butler.

800 acres in ſame county, on Buffaloe creek, on a pre-emption right of David Gray.

250 acres in Greenbrier county, on Little deer creek, adjoining lands of Joſeph McClung.

891 acres in Montgomery county, ſurveyed 1ſt Auguſt 1787, *on the waters of Pinney river and Paint creek, waters of Kenhawa river.*

435 acres in Montgomery county, ſurveyed 30th June, 1786, *joining the lands of Joſeph Eaton, Richard Muſe, and James McCorcle.*

230 acres in Wythe county, ſurveyed 4th November, 1795, *on the lead mine mill creek.*

180 acres in Albemarle county, patent, dated 5th July 1787, *on William Hill's creek, waters of Buck Iſland creek.*

One undivided moiety of five lots, in the Town of Winchester, No's. 89, 90, 100, 101 *and* 109.

The above will be ſold very low, and the terms made known on application to

Wm. AUSTIN.

Richmond, April 4th, 1805.

The celebrated Engliſh running Horſe

Clifden,

WILL ſtand the enſuing ſeaſon at my ſtables at Broad Rock, near Manchester, at *Twenty-Five Dollars* the ſeaſon, (which may be diſcharged by the payment of *Twenty Dollars*, if paid within the ſeaſon,) and *Half a Dollar* to the groom. The ſeaſon will commence on the firſt of March, and end on the tenth of Auguſt. Good paſturage will be furniſhed *gratis*, and the utmoſt care will be taken of the mares, but I will not be anſwerable for accidents or eſcapes.

CLIFDEN is a horſe of uncommonly fine form, above fifteen and a half hands high, of a beautiful deep blood-bay, and perhaps the ſtrongeſt made thorough-blooded horſe on the continent. Large and powerful horſes produce the only real good turf horſes.

WILLIAM BALL.

Broad Rock, February 10th, 1805.

PEDIGREE.

I certify, that Clifden was gotten by Alfred, out of an own ſiſter to the duke of Queenſbury's bay horſe, Mulberry, which was gotten by Florizel, out of James Pennyman's famous Matchem mare — Clifden was bred by the earl of Derby, and ſold untried for 500 guineas.

ISAAC PICKERING.

Foxleaſe, Hampſhire, Auguſt 18th, 1799.

A ſimilar pedigree is given to Doctor Thornton by Sir John Lade, who ſtates that his royal highneſs the Prince of Wales preſented Clifden to him; that he was a good found horſe, and won him ſome thouſands on the turf.

ALLIANCE.

Alfred was gotten by Matchem.	Rockingham's dam, Purity, by Matchem; Pumpkin, Maiden, Conundrum, Ranthos, Riddle, &c. by Matchem.
Alfred's dam by Snap.	Old Medley's dam by Snap, Snap Dragon, [dam of Old Selima's] dam by Snap, Old Shark's d. by Snap, &c.
Clifden's dam by Florizel.	Old Diomed [imported from England and now ſtanding at 50 dollars a mare in Virginia] by Florizel.
Florizel by old King Herod	High Flyer by Old King Herod, Woodpecker, [ſire of Cormorant and Dragon] Magnet, [ſire of Dare Devil] the famous running mare Muſe, by King Herod.

Clifden's grandam by Matchem; ſo that he poſſeſſes double cloſe croſſes of Old Matchem, which covered at 50 guineas a mare, for the nine laſt years of his life, twenty five mares by ſubſcription, and died at 33 years of age! He was by old Cade the beſt ſon of the Godolphin Arabian. Thus Clifden deſcends immediately from the beſt ſtock on earth, and his pedigree cannot be exceeded, indeed ſcarcely equalled.

PERFORMANCES.

In the year 1792, at 5 years old, he won ten times out of his twelve firſt races, as may be ſeen by the Racing Calender, which was unequalled for 8 years except by Buzzard.

1. In 1792, Thurſday, Auguſt 2d, a ſweepſtakes made for Lewes, but run at Brightelmnſton, weight 12 ſtone 3lb, 4 miles.

Mr. O'Kelly's b. m. Miſs Windmill, by High Flyer, rode by himſelf, 1—
Mr. Chicheſter's g m by King Fergus, rode by Lord Barrymore, 2—
Sir John Lade's b h Clifden, by Alfred, rode by himſelf, 3—

2—Lewes, Auguſt 9th—a match for 100 guineas, 12 ſtone each.

Sir John Lade's b h Clifden, rode by Lord Barrymore, 1—2—1
Mr. Chicheſter's g m by King Fergus, rode by Mr O'Kelly, 2—1—2

3—New Market, firſt October meeting, ſame year Sir John Lade's b h Clifden, by Alfred, 5 years old, walked over the Beacon courſe, on Friday the 5th, and received the 70 gs purſe.

4—Second October meeting, ſame year, Monday 15th, Clifden, carrying 9 ſtone 12lb, beat Sir Chas. Buntury's Playfellow, 4 years old, carrying 7 ſtone 8lb, d. i. 50 guineas—2 to 1 on Clifden.

5—Same day he received 10 guineas from Mr Chicheſter's Miniſter, 12 ſtone each, d. i. 25 guineas.

6—On the 17th, Clifden, carrying 9 ſtone, beat Mr O'Kelly's Big Ben [imported by the name of Traveller into Virginia] by Eclipſe, carrying 8 ſtone 3lb, both 5 years old—50 guineas.

7—On the 19th, Clifden b at the duke of Grafton's Prunella, in a ſweepſtakes of 25 guineas each, 10 guineas forfeit, and received forfeit from his royal highneſs the duke of York's Fire, Sir Charles Bunbury's Amelia, Lord Clermont's Heroine, Mr Golding's Nameleſs.

8—On the 20th he beat Mr O'Kelly's Slack acroſs the Flat, 50 guineas; 7 to 4 and 2 to 1 on Clifden.

9—On the 3d October, at Houghton meeting, Monday 29th, he received 40 guineas from Sir Ch. Bunbury's Amelia—100 guineas, half forfeit.

10—Same day he received 25 guineas from his royal highneſs the duke of York's Pyracmon—100 guineas, half forfeit.

11—Next day, 30th October, Mr Montolieu's Halkin, by Jupiter, beat Sir John Lade's Clifden,= 100 guineas.

12—November 1ſt, Clifden, 5 years old, carrying 8 ſtone 8lb, beat Mr O'Kelly's Exciſeman, by Sweetbriar, aged, carrying 8 ſtone 4lb—50 guineas.

The laſt race Clifden run, in 1792, was againſt the duke of Bedford's large horſe Dragon, by Woodpecker. This was an aſtoniſhing race; each horſe was rode by his owner, and carried 15 ſtone, or 210lb. over the Beacon courſe, 4 miles and nearly a quarter, for 300 guineas, Clifden was beat; but the duke of Bedford rode 15 ſtone, and Sir John Lade was obliged to carry about five ſtone dead weight, enough to kill even a good horſe. Dragon never ran another ſucceſsful race. Clifden, owned by the honorable Mr Bowes, ran the next year, and beat Mr O'Kelly's br. g. carrying above 12 ſtone each, rode by the owners, over the new courſe, Lewes, for 100 guineas—5 to 4 on Clifden.

The duke of Queenſbury's Mulberry, full brother to Clifden's dam, beat the following horſes at New Market—Lord Darby's Sir Peter Teazle, over the Beacon courſe, for 500 guineas, and his lordſhip has ſince received 6000 guineas for Sir Peter, ſtarted in a letter to Doctor Thornton in 1800 Mulberry alſo beat Lord Clermont's Collector, over the ſix mile courſe, for 300 guineas; likewiſe the Yellow mare, for 300 guineas. B. C.—alſo Lord Clermont's Woodcock, d. i. for 200 guineas. In a ſweepſtakes of 50 guineas each, d. i. he beat Lord Clermont's Woodcock 2d, and Mr Fox's Braganza 3d. In a ſweepſtakes of 300 guineas each acroſs the Flat, he beat Mr Bullock's grey Pumpkin 2d, and Clermont's Oſprey 3d. And in a ſweepſtakes of 100 guineas each, he beat the duke of Grafton's Oberon 2d, Lord Clermont's Woodcock 3d, and Mr Vernon's Mufti 4th. Thus Clifden, beſides being a capital runner himſelf, is altogether from the firſt rate running ſtock.

In a letter from Mr Sturt, member of parliament for Dorſetſhire, to Doctor Thornton, he ſay, "I know of four or five very promiſing colts of Clifden's get. One in particular of the honorable Lione Dawns, another of Doctor Barnes's, and I have a yearling in my poſſeſſion, which I think the fineſt colt of his age I ever ſaw. From having ſeen theſe, [his firſt colts] I repent having parted with him, and would willingly re-purchaſe the horſe."

Mr Ringgold, at whoſe farm he ſtood in Waſhington county, Maryland, ſays Clifden's colts are the fineſt he ever ſaw, in every reſpect.

Clifden had only 50 mares in Virginia the ſeaſon of 1802, the ſeaſon after his colts being ſeen, he had 109 mares.—Colonel Patteſon, with whom he firſt ſtood, ſays no colts have been ſeen equal to Clifden's ſince the time of Old Janus.

I do hereby certify, That Clifden ſtood in Cheſterfield county at my ſtable, that he is a remarkable ſure foal-getter, and his colts are large and handſome.

Given under my hand, this 30th day of January, 1804. THOMAS BRANCH.

IMPEACHMENT OF JUDGE CHASE.

Wedneſday, February 20.

(*Mr Campbell's Speech concluded.*)

But it is inſiſted on by the judge in his anſwer, that the opinion was a correct one, as to the law of treaſon, ſupported by former deciſions, and therefore, there would be no harm in making it known, at the time and in the manner he did; that it could not miſlead the jury, but would guard them againſt being impoſed upon by the ingenuity of the counſel. Though the reaſoning may appear plauſible at firſt view, it will be found, upon examination, to be fallacious, tending to eſtabliſh a dangerous doctrine, that would in principle go the whole length of juſtifying a judge, for diſpenſing with the intervention of a jury altogether in trials for brimes. If a judge may give a ſolemn opinion againſt a defendant in a criminal caſe, without permitting counſel to be heard in his behalf, when the party is entitled of right to the aſſiſtance of counſel, and then juſtify ſuch conduct by ſhewing that the opinion itſelf was correct, and muſt have been delivered by him in ſome ſtage of the trial; why may he not paſs ſentence of execution upon a criminal without the verdict or intervention of a jury? And, when charged with this conduct as unconſtitutional and illegal, juſtify himſelf by ſhewing that the ſentence he paſſed was a correct one, that the facts in the caſe were notorious and admitted on all hands; that the law was clear and had been eſtabliſhed by former deciſions that could not be ſhaken; and that, therefore, the intervention of a jury could be of no ſervice to the defendant, as they muſt find him guilty; and that as he would have to declare the ſame ſentence he had pronounced, after their verdict ſhould have been rendered, it could do no harm to pronounce it without ſuch verdict; as it could not do an injury to paſs a correct ſentence at any time. This reaſoning would be of the ſame kind with that advanced by the judge in the caſe before you, to juſtify him in delivering a written opinion, before the cauſe was heard, or the defendant permitted to make his defence by counſel; for if in the one caſe it would be a violation of the conſtitutional right of a trial by jury, ſecured to defendants in criminal proſecution; ſo in the other caſe it would be equally a violation of the conſtitutional right ſecured to defendants of having the aſſiſtance of counſel in their defence. The reaſoning, therefore, of the judge, if it prove any thing would prove too much, it would virtually deſtroy the moſt valuable proviſions in our conſtitution for the protection of the rights and liberties of the citizen; and authoriſe a judge or court at pleaſure to diſpenſe with conſtitutional reſtrictions, when they found it convenient ſo to do.

But in the preſent inveſtigation, the correctneſs or incorrectneſs of the written opinion delivered by the judge, is not in queſtion; this opinion is not charged to be in itſelf incorrect or erroneous, but the offence charged is in the manner and time of delivering it; the attempt, therefore, by the judge to juſtify his conduct, by inſiſting that the opinion delivered was correct and authoriſed by former deciſions, is a mere evaſion of the real charge alledged in the impeachment, or an exertion to prove what was not denied or put in queſtion. It cannot, therefore, in fact aid the accuſed, or make his caſe better than it would be if ſuch opinion had been evidently erroneous; but it is not intended, in this place, to admit the correctneſs of the opinion delivered by the judge in writing, by not going into the diſcuſſion of it; but this diſcuſſion of the opinion he omitted here, becauſe its correctneſs or incorrectneſs is irrelevant to the preſent queſtion, and therefore unneceſſary to be diſcuſſed.

I will now proceed to conſider the third poſition ſtated, to wit, that the judge did impoſe on the counſel engaged on behalf of Fries, arbitrary reſtrictions and controul, in the exerciſe of their profeſſional rights, unknown to, and unauthoriſed by the laws and uſages of the nation. In ſupport of this part of the charge, there is the evidence of Mr. Lewis, who ſtates that when the judge delivered the written opinion in the manner already noticed, he obſerved that on the former trials, there had been a great waſte of time, by counſel making long ſpeeches to the jury on the law as well as on the fact, and ſtated his diſapprobation of their having been permitted to read certain ſtatutes of the United States relating to crimes leſs than treaſon, which he or the court declared they would not ſuffer to be read again, and that caſes at common law, or under the ſtatutes of England, previous to the Engliſh revolution, had

nothing to do with the queſtion, and that they would not ſuffer them to be read; that they had made up their mind on the law. This is in ſubſtance the evidence of Mr. Lewis on this point; and it is ſtrongly ſupported by that of Mr. Dallas, who, though he was not preſent when this ſtatement was made by the judge, yet corroborates the truth of it by the ſtatement he made to the court afterwards on the ſame day, as made to him by Mr. Lewis, and by the circumſtances that took place in conſequence thereof. Mr. Dallas alſo ſtates that the judge ſaid, as he thinks on the next day, that in arguing upon the law the counſel muſt addreſs the court alone and not the jury. The evidence of Meſſrs. Rawle and Tilghman, ſupport moſt of theſe facts in ſubſtance, except as to the judge refuſing to permit the ſtatutes of the United States to be cited, and differ only as to the time at which the judge made theſe declarations; theſe facts, therefore, are ſupported by evidence that cannot be ſhaken; and were the evidence given by Mr. Lewis and Mr. Dallas different from that given by Meſſrs. Tilghman, Rawle and others, more weight and credit ought to be given to the evidence of the former gentlemen than to that of the latter, though all may be men of equal integrity and veracity; for there is a material diſtinction between the credit due to witneſſes as men of integrity or veracity, and the weight or credit that ought to be given to their evidence as containing a correct and full ſtatement of facts: two men may be of equal credibility in ſociety, and equally tenacious of depoſing the truth; yet the evidence of the one, as to a particular tranſaction, may deſerve much more weight and credit than that of the other, in conſequence of his poſſeſſing better means of information, and being ſo circumſtanced as to feel more intereſt in, and receive ſtronger impreſſions from the facts that may have taken place; ſo in the queſtion before us, Mr Lewis and Mr Dallas felt the ſtrongeſt intereſt in the tranſaction that took place; their rights as counſel were invaded, and the impreſſions they received were ſtrong, and not eaſily effaced.—Mr Lewis had the moſt correct means of information; his attention was arreſted by the paper containing the opinion being handed or offered to him; the ſtatement of the judge containing the reſtrictions already ſtated, immediately followed, to which he attended; he could not therefore poſſibly be miſtaken; and the impreſſion, ſo ſtrongly made by ſo extraordinary a tranſaction, could not be eraſed from his memory. This was not the caſe with Meſſrs. Rawle and Tilghman; for though Mr Rawle was concerned for the proſecution, he ſtates he was much engaged with other buſineſs; the opinion delivered was alſo in favor of his ſide of the queſtion, and of courſe the affair was not likely to excite ſo much the intereſt of thoſe gentlemen, or make ſo deep an impreſſion on their minds. The evidence, therefore, of Mr Lewis and Mr Dallas may be conſidered as a correct ſtatement of this tranſaction. Theſe reſtrictions, therefore, impoſed upon the counſel, of not citing ſuch authorities as were uſually permitted to be uſed, and not arguing the law to the jury, are unauthoriſed by the laws of our country, and contrary to the uſages and practice of our courts of juſtice; and in the caſe in queſtion, amounted to a prohibition to argue the cauſe in any poſſible way that could be of the leaſt ſervice to the defendant. That theſe reſtrictions were unauthoriſed by the practice in our courts, is eſtabliſhed by the evidence of every witneſs that has been examined to this point, who declared that no ſuch reſtrictions had ever been impoſed on counſel concerned in criminal caſes, in any courts with which they had been acquainted, and particularly by the practice of the circuit court of the United States, in the ſame ſtate, in the trial of the ſame cauſe before, and in other ſimilar trials, when the utmoſt latitude was given to the counſel in making their defence. This was, therefore, a direct and arbitrary innovation on the known and eſtabliſhed modes of proceeding in courts of juſtice in criminal caſes, and an unwarrantable attack on the privileges ſecured to defendants by the conſtitution and laws of the country. That judges are not authoriſed to ſubſtitute their own arbitrary will in place of law, and to diſpenſe at pleaſure, with the eſtabliſhed rules of proceeding in the tribunals of juſtice is proved by every principle of reaſon and of law. To ſhew that this poſition has been expreſsly recognized by law writers, and legal deciſions for ages, I will refer the court to 2d Bac. ab. (new edition) page 97, where it is declared that *judges are to determine according to the known law and ancient cuſtoms of the realm*; and to 4 Com. Dig. 418, where it is ſtated that *judges ought to act conformable to law and not according to diſcretion*. Theſe authorities, when we conſider the country from which they come, and the times in which they were written, ſtrongly mark the limits that ought to circumſcribe the conduct of the judge. And ſhall the judges in our country aſſume greater latitude in their proceedings than thoſe of England, and depart at pleaſure from what are known to be the cuſtoms of the country? I ſhould preſume not. But the judge ſtates in his anſwer, that deciſions at common law, and before the revolution in England, could throw no light on the doctrine of treaſon here, but might miſlead the jury; and therefore ought not to be admitted to be read, not being law; and he wades in the dark ages of the hiſtory of England, when the judges were corrupt and under the influence of the crown. This reaſoning of the judge is evidently an evaſion of the point in queſtion. The object of the counſel for Fries, in wiſhing to cite thoſe authorities, both at common law and under the ſtatute of Edward the Third, was not to ſhew by them what the conſtruction of the words of our conſtitution with regard to treaſon ought to be; but to ſhew firſt, the abſurd and ridiculous lengths to which thoſe deciſions had gone, in determining what acts amounted to treaſon there, and then to prove that ſince the Engliſh revolution, the judges in England conſidered themſelves bound by caſes decided before the revolution, and that as the deciſions on treaſon in England, ſince their revolution, were bottomed upon thoſe caſes before the revolution, they ought not to govern the courts in this country, in giving a conſtruction to the words of our conſtitution, in order to determine what acts amounted to treaſon.—This was evidently the object of the counſel, and it is proved to have been ſo ſtated by them, by the evidence of Mr Lewis, Mr Dallas and Mr Rawle.—There was, therefore, no ground for the pretence the judge makes for refuſing theſe authorities to be introduced.

It is admitted by the anſwer that the jury have the right to decide upon the law as well as upon the fact; and if it were denied, it could be ſhewn by clear and undoubted authorities, of ancient and modern times. From what motives, therefore, and under was plauſible pretence, could the judge refuſe to permit the law to be argued before the jury?—How could they decide upon it properly, without hearing it diſcuſſed? And with what color of reaſoning can the judge ſay that the jury have the right to decide the law, and yet that they have not the right to hear it argued and explained by counſel? Does not this ſhew the greateſt abſurdity, and prove that the accuſed muſt have had ſome object in view, that he did not chuſe to avow, and that would not bear examination? In this caſe there was no diſpute about the facts; the anſwer ſtates, that they were admitted on both ſides. The judge makes up his opinion upon the law, commits it to writing, and makes it known as the opinion of the court, before the jury are impannelled in the caſe. For what purpoſe was council aſſigned to the defendant? What remained for the counſel to examine or conteſt, when the facts were admitted and the law decided by the court? Would not the aſſiſtance of counſel, under ſuch circumſtances, be to the defendant a mere phantom, a name without ſubſtance? Was not the aſſignment of counſel, in this caſe, and with ſuch views as the judge muſt have had, an uſeleſs ceremony, an empty compliance with form, a mere mock of juſtice? The clear inference from the whole tranſaction muſt be, that the judge was determined the defendant ſhould derive no benefit from the aſſiſtance of counſel, and only aſſented to permit them to argue the facts to the jury, becauſe he knew they were not diſputed, even by the defendant himſelf. It muſt, therefore, be a fair inference that the defendant was deprived of the aſſiſtance of counſel, by the unwarrantable, illegal, and unauthoriſed reſtrictions impoſed upon them in the performance of their profeſſional duties by the judge.

It remains, on this part of the ſubject, to ſhew that this conduct of the judge was ſuch a flagrant violation of his duty as could only ſpring from corrupt motives, and a diſpoſition to oppreſs thoſe who became the objects of his reſentment. I lay it down as a ſettled rule of deciſion, that when a man violates a law, or commits a manifeſt breach of his duty, an evil intent, or corrupt motive muſt be preſumed, to have actuated his conduct; as every man is preſumed to know the law, and every officer or judge to underſtand his duty; and if the party will undertake to excuſe himſelf, for miſconduct, on the ſcore of pure motives, and unintential error, it is incumbent on him to make the ſame appear by ſatisfactory and inconteſtible evidence. In ſome inſtances, erroneous conduct may be explained, excuſed, or palliated, by the weakneſs or ignorance of the delinquent, and the circumſtances that attend the caſe. But in this whole tranſaction, what marks of innocence, or pure motives are to be diſcovered? What excuſe to be offered for the conduct of the accuſed? Ignorance of the law cannot be relied upon as forming a ground of excuſe. The legal talents, long experience, and diſtinguiſhed abilities of the judge, are too well known to admit of ſuch a plea. It was no new and difficult caſe, wherein he might be eaſily miſtaken. There were no forming precedents to lead him aſtray. The proceeding was entirely new, and of his own invention; a total deviation from all former practice, and a manifeſt innovation upon the eſtabliſhed uſages in our courts of juſtice. The whole bar were agitated by the proceeding; counſel for near thirty years practice felt embarraſſed and aſtoniſhed at it. The common ſenſe of the whole audience appeared ſhocked at the tranſaction, as being altogether new and extraordinary. The accuſed, in his anſwer, ſtates, that he relied upon the deciſions of the circuit courts, wherein judges Iredell and Paterſon preſided, with regard to the law of treaſon, as forming a precedent from which he would not even dare to depart. Why did he not conſider himſelf equally bound by the practice they adopted in criminal caſes? They gave the utmoſt latitude to counſel in making their defence to the jury, both on the law and the fact, did not reſtrict them as to the authorities they ſhould cite, and delivered no opinion until the cauſe was heard. Judge Chaſe reverſed the whole of this mode of proceeding. What good reaſon can be given for his adhering to their opinion in the one inſtance, and totally departing from their practice and example in the other? No excuſe can be formed for this conduct. This is the ſtrongeſt poſſible evidence of corrupt motives, of partiality, and a determined deſign to overleap all former rules of proceeding, to oppreſs the unfortunate defendant, that was arraigned at his bar for trial. The whole courſe of the judge's conduct in this tranſaction goes to eſtabliſh the ſame ſpirit of oppreſſion. Counſel are aſſigned the defendant, merely for the ſake of form, and, as it were, to mock him in his misfortunes. The day of trial arrives. In the mean time the judge makes up his opinion on the law ariſing in the caſe, and, to add ſolemnity to the act, commits it to writing. There is no doubt, no diſpute as to the facts. The priſoner is brought to the bar. Not a voice is permitted to plead his cauſe, until the ſolemn ſentence of his legal conviction is made known; and thereby the avenues of his defence, that might lead to his acquittal, for ever cloſed.

Here let us pauſe a moment, and behold the unfortunate, and, in the language of his able counſel, poor Fries, trembling before his condemning judge; ſtript of the aid of counſel, his only and forlorn hope; the fatal fiat of his condemnation pronounced in the ſolemn language of a written opinion; and thus friendleſs, unprotected, and unheard, about to be conſigned to the hand of the relentleſs executioner! Let us view this ſpectacle, and then let me aſk, if this can be conſidered an impartial adminiſtration of juſtice. I might here charge the accuſed with having knowingly and wilfully trampled on the laws of his country, and overleaped the bounds of legal juſtice, to oppreſs a friendleſs individual brought before him for trial. I might call upon this honorable court, to vindicate the character of inſulted juſtice, and demonſtrate to the American people, that when their rights and liberties, are invaded, even though under the ſacred function of judicial authority, this high tribunal will always be found ready and willing to avenge their wrongs and protect their intereſts.

But it is alledged by the judge, that the offenſive written opinion, that had been made known, was withdrawn, and that next day full latitude was offered to the counſel, to argue both the law and the facts to the jury. This was a fallacious offer; it came too late to be of ſervice to the defendant, or excuſe the judge. The act on his part was done; the office was complete; and it was only the ſternneſs of the counſel that made him retract. The impreſſion had been made on the minds of the jury, that could not be eraſed; the flame had been kindled by the fire-brands he had ſcattered, which could not be extinguiſhed by withdrawing the inſtruments that occaſioned it. The experiment was as dangerous as it was novel, and can only be aſcribed to the ſame ſpirit of oppreſſion and political intolerance, that will be found to diſtinguiſh the whole conduct of the judge in his judicial career, during theſe tranſactions.

The reſpondent further inſiſts, in his anſwer, that he cannot be impeached, except for ſome offence for which he may be indicted at law. This poſition cannot be ſupported by any fair conſtruction of the proviſion in the conſtitution on the ſubject. It has already been attempted to be ſhewn in the view taken of this conſtitutional proviſion, that in order to ſupport an impeachment, it is not neceſſary to ſhew that the offence charged, is an indictable one, but only, that it is a breach and violation of official duty; and I conceive that this is the only conſtruction that can be adopted to give conſiſtency to the conſtitution; to the mode of proceeding adopted under it in caſes of impeachment; to reconcile with juſtice the nature of the judgment that muſt be rendered upon conviction, and to avoid the palpable abſurdity that would follow a different conſtruction, of puniſhing a man twice for the ſame offence.—To the expoſition already given of his proviſion in in the conſtitution, I beg leave to refer the court, as controverting the poſition here relied upon by the judge. But I would here further obſerve, in ſupport of this doctrine, that according to the laws England, a judge of a court of record is not accountable by indictment, for any thing done in open court, in his judicial capacity; and that he may plead to an action bro't againſt him, for any ſuch act, that he did it, (that is, what he was charged with) as a judge of record; and it would be a good juſtification. In ſupport of this doctrine the court are referred to 2 Bac. ab. (new edition) page 97—2 Hawk. 123—Jac. Law Dictionary, [new edition] verbum Judges. It appears from the ſame authorities, that the judges in England, are accountable in parliament only, for opinions delivered in court, and are not, for ſuch opinions, to be queſtioned before any other tribunal. This is the great protection and ſecurity that judges of courts of record have, that they are accountable for their official conduct only to the legiſlature; and are puniſhable at law only for ſuch acts as would be indictable offences, independent of their official character. This view of the ſubject renders the judges, ſo far as regards their judicial conduct, independent of all tribunals except the legiſlature; and is certainly better calculated to preſerve the independence and dignity of the judges, than that contended for in the anſwer. I cannot, therefore, entertain a reaſonable doubt, that the true intent and meaning of the conſtitution will ſupport this doctrine; and that it will be ſanctioned by the opinion of this honorable court.

Mr. Campbell here obſerved that he had cloſed the remarks he propoſed making on the firſt part of the ſubject, and, finding himſelf indiſpoſed, expreſſed a wiſh that the court would adjourn.

Whereupon, the court roſe.

(To be continued.)

Latest Foreign Advices.

BOSTON, May 16.

By ſeveral late arrivals from Europe, Paris dates to the 27th March, and London to the 8th of April, have been received at this office. Beyond the recital of thoſe rapid and extraordinary meaſures which are daily taking place on the continent of Europe, through the ſingle influence of France, and which appear to be directed by the genius of a ſingle individual, and to the aggrandizement of a ſingle family, they contain little intelligence of intereſt or importance.

LONDON, April 4.

CONTINENTAL ALLIANCES.

A conſiderable number of letters were on Saturday received from Holland by a veſſel which on Friday arrived at Gravеſend. One from Rotterdam, dated on Tueſday announces that previous to the departure of the Ruſſian General Winzingerode from Berlin, the King preſented him his picture on a ſnuff box, ſet in diamonds. His Majeſty likewiſe delivered to him, with his own hands, a letter which he had himſelf written to the Emperor Alexander, containing the ultimatum of the Pruſſian Cabinet on the ſubjects which have lately been in diſcuſſion between the two Courts. Pruſſia, it is ſaid, perſiſts in her determination to oppoſe the military projects of Sweden, while Sweden has demanded the aſſiſtance of Ruſſia by virtue of the firſt and third articles of treaty of 1799, to vindicate her independence againſt the menaces of Pruſſia. Theſe letters, in oppoſition to previous and more probable accounts, ſay, that Lubec continued on the 29th ult. to refuſe the contributions demanded by France; and had applied to the courts of Peterſburgh, Berlin, and Vienna, for redreſs.

This morning a mail from Gottenburgh and Liſbon arrived. By the former, government has received diſpatches from Peterſburgh, which are ſaid to contain poſitive aſſurances on the part of the Emperor Alexandria, of an immediate and powerful co operation againſt France. Orders are ſtated to have been iſſued from the Ruſſian war department to prepare for actual ſervice a force little ſhort of 180,000 men.

April 6.

Diſpatches received yeſterday from Peterſburg, are confidentially ſtated to contain intelligence which is the ſubject of much uneaſineſs to government, and is extremely different from that underſtood to have arrived by the Gottenburg mail. They were brought by Mr. Parſons, the meſſenger, who was alſo charged with intereſting communications from the Court of Stockholm. A very conſiderable alteration with reſpect to his being a zealous and vigorous co-operator in the proſecution of hoſtilities againſt France, is ſaid to have taken place in the ſentiments of the Emperor Alexander, who it is now aſſerted, declines all deciſive or active interference in the war, and contents himſelf with offering his aſſiſtance for effecting the reſtoration of general tranquility. No inconſiderable degree of credit is given to this ſtatement by perſons of very high political connections; and we underſtand that to the ſenſation excited by it is to be attributed the depreſſion felt yeſterday by the funds. Private accounts from Peterſburgh, which reach to the 14th ult. do not ſcruple to ſay, that any powerful co-operation on the part of Ruſſia cannot be expected.

April 8.

By the arrival of the Hamburgh mail, we have received the following intelligence from our correſpondent:

"*Hamburgh, April 2.*

"The cloſeſt harmony now ſubſiſts between the courts of Pruſſia and France, and the former is very actively employed in adjuſting differences between the latter and Ruſſia. Letters from Peterſburg of the 6th ult. even mention that Monſieur de Nevifilow will ſhortly be ſent on an extraordinary miſſion to Paris. Bonaparte has, it is ſaid, as the price of a reconciliation, offered to evacuate the electorate of Hanover. The number of the French troops in the electorate has already been conſiderably diminiſhed. The great changes, however, in the ſtate of Upper Italy, and the critical ſtate of the kingdom of Naples will probably prevent this intended approximation.

"The various regiments lately drawn from the French coaſt of the Channel have received orders to re-occupy their former poſitions. Every officer and private abſent on furlough have been ordered to join their reſpective regiments, even though the leave of abſence ſhould not have expired. All the Generals are alſo to repair to their reſpective ſtations on the coaſt. Maſſena is to have the chief command of the army of England, Angereau that of Ireland, and Marmont that of Scotland."

Berlin letters of the 20th ult. mention, that the Ruſſian ambaſſador extraordinary will quit that city with the anſwer of his Pruſſian majeſty on the 3d or 4th inſt. Both he and his ſecretary received as preſents, ſnuff boxes worth five thouſand crowns each. General Zaſtrow is to go as miniſter plenipotentiary and extraordinary to the court of Peterſburgh."

The Breſt fleet, conſiſting of 21 ſail of the line and frigates, came out of Breſt, and anchored in Carmaret Bay, where they remained 24 hours and then returned to their old ſtation. They appear to have an expedition in view, ſome of them having hay bags on their quarters.

The Grand Expedition is on the point of ſailing. Immenſe quantities of ſtores have been put on board the ſhipping, and the officers have embarked.

The expedition had not ſailed yeſterday from Portſmouth; the Dragon, one of the ſhips appointed to eſcort it, not having returned ſince ſhe was ordered to join the Channel fleet, upon the report of the Breſt fleet having put to ſea. The officers who commanded in the expedition, and of the Staff, are

Gen. Sir James Craig, K. B. Commander in Chief, Lieut. Col. Barnes, Capts. Thornton, and Dalymple and Lieut. James, Aides de Camp. Brig. Gen. Campbell, Deputy Adj. General Lieut. Taylor, Aſſiſtant Adj. Gen. Lieut. Col. Bunbery, Deputy Quarter Maſter. Gen. Captains, Ryves and Tomlyn, Aſſiſtant Quarter Maſter Generals. Capt. Hepburn, Brigade Major of the Forces. Major General, Sir J. Stuart. Captains, D. Sade and Buckley. Aides de Camp. Brigadier-General, Tilſon, Hon. —— Cole, and Acland, Mr. A. Fernandez, Deputy Commiſſary General. Mr. Sommerville, Deputy Inſpector General of Hoſpitals. Mr. Hugo, Purveyor General of Hoſpitals. Mr. Pinnkarel, Deputy Purveyor General.

His Royal Highneſs the Prince of Wales, made a few obſervations in the Houſe of Lords on Monday night, being the firſt time for fifteen years that he has had occaſion to addreſs their Lordſhips. His Royal Highneſs expreſſed his ſentiments with a facility and dignity that leave us to regret that he does not oftener exert his conſtitutional privilege.

In the houſe of Lord, April 5, when the "American Ships, License Bill" was reported, Lord Sheffield expreſſed his diſapprobation of the principle of the Bill, and proteſting againſt extending ſuch advantages to Foreign Ship Owners, when the Ship Owners of this country, were many of them, notoriouſly in a ſtate of inſolvency, occaſioned by want of employment for their tonnage. It was not, however, he ſaid, his intention to divide the Houſe on the Bill.

On the 24th of March the Breſt Fleet made a movement ſeaward, but ſoon returned again to their old moorings. The Britiſh fleet oppoſed them, conſiſted of 18 ſhips of the line; the French Fleet comprized the following veſſels: Le Vengeur, 120 guns, Le Republican 110, L'Invincible 118, L'Alexander 80, Le Foudroyant 80, L'Impeteaux 74, Le Brutus 74, Le Veteran 74, Le Pelage 74, Le Conquerant 74, L'Ulyſſe 74, Tourville 74, L'Eole 74, La Revolution 74, Le Dix d'aout 74, Le Conſtitution 74, L'Alliance 74, Le Batave 74, Le Patriole 74, Le Gauliore 74.

In the Houſe of Commons, April 5, a member intimated that he ſhould, if it was not deemed impoſitic, move for the production of papers to ſhew what meaſures had been taken for putting the Weſt-India Iſlands in a proper ſtate of defence, and the period of Admiral Cochrane's ſailing in purſuit of the Rochefort ſquadron.

Mr. Francis after a lengthy ſpeech, propoſed that the Houſe ſhould reſolve, that any war commenced for the extenſion of the Britiſh dominion in India, is repugnant to the intereſt and policy of Great Britain. The previous queſtion was put and paſſed.

On the 4th of April, in the Houſe of Peers, Lord Grenville gave notice, that on the 10th he ſhould move for the commitment of the petition for the emancipation of the Catholics of Ireland.

A miniſterial bill for reducing the Militia, [on evidence of the fear of an evaſion,] for the purpoſe of augmenting the diſpoſeable force to be employed abroad, was read a ſecond time on the 4th of April; yeas 102, nays 54.

A bill for the better encouragement of ſeamen, and the more effectually and ſpeedily recruiting for the Navy, was, on the 4th of April, paſſed to a ſecond reading in the houſe of Commons.

Banks of the Main, March 21.

Mr. Livingſton, Miniſter of the United States of America, lately at Aufsbburoh, with his whole family. He comes from Naples, and is on his way to Paris.

HAGUE, March 22.

New Batavian Conſtitution.

The Legiſlative body aſſembled to day in a Committee of the whole in order to hear the reading of the reports of two commiſſioners, charged with the examination of the propoſition of the government of ſtate, relative to the project of the new Conſtitution, and of that concerning the raiſing of three terms of the impoſition of the 9th July, 1804. Upon the firſt point the committee is of opinion, that the triple propoſition ought to be ſanctioned, which propoſes firſt, to ſubmit the propoſed Conſtitution to the acceptance or rejection of the Batavian people; 2d, to propoſe to them the eventual nomination of M. R. P. Schimmelpenninck, as firſt perſionary Counſellor; 3dly, that both theſe propoſitions ſhould be conformable to the principles of the publication of the 14th September, 1803. The Commiſſioners have been led to adopt this opinion, principally from the reaſons detailed in the meſſage of the government of State, which require a change in our preſent ſocial compact. After developing the reaſons which are deduced from the internal as well as external ſituation of the Republic, the Commiſſion declares that theſe conſiderations produced in their minds an unanimous conviction, that in the actual ſituation of public affairs, the exiſting inſtitution, are no longer adequate to inſure the happineſs of the people, the ſole object of the ſocial compact.

HANOVER, March 16.

By a ſudden riſe of the waters of the Elbe, 90 villages have been inundated, and vaſt damage has been ſuffered. The miſery of the poor inhabitants, defies deſcription.

MADRID, March 4.

200 letters of marque have been delivered againſt the Engliſh, at different Spaniſh ports.

ROME, March 5.

Cardinal Sommaglia has invited the clergy to preach againſt the indecency of the dreſs of females.

NOTICE.

THAT by virtue of a Deed in Truſt, I ſhall, (as the aſſignee of John Barret, Eſq. of Louiſa county) on the firſt Monday in June next, being Henrico court day, expoſe to ſale by Public Auction for ready money, before the door of the ſaid Court-houſe, A TRACT OF LAND containing one hundred acres more or leſs, lying and being in the county of Henrico, on the Three Chopp'd Road, being the ſame land, on which the late Thomas Ginnett, dec'd, reſided in his life time. This ſale will be made to ſatisfy a debt with the intereſt due thereon, by Thomas Ginnett, dec'd to John Barret, as ſurviving partner of Reid and Barret, together with the coſts of executing this truſt.

SAMUEL M'CRAW,
Aſſignee of the cestui que truſt.

May 7. eptds.

The Virginia Gazette.

RICHMOND:

WEDNESDAY, MAY 29, 1805.

RICHMOND PRICES CURRENT.
(CORRECTED WEEKLY.)

Tobacco,	33s cash
Wheat,	11s do.
Flour,	57s to 60s do.
Corn,	30s do.
Hemp, (clean)	48l to 50l do.
Iron,	33l to 36l do.
Whiskey,	3s9 to 4s do.
Bacon,	9d to 10d do.

—DEATH—

Departed this life on Saturday the 25th inst. Mrs. ANN LIGHTFOOT, spouse of William Lightfoot, Esq. of Sandy Point.—As a proof of this lady's worth, the transient visitor, who now records her death, received from the afflictions of her immediate connexions, and a numerous train of distressed domestics, a conviction, which, at such a moment, could not in him have been the impressions of false conceptions: But above all, the extreme effects produced on a most charming and affectionate daughter, who had watched over the distressing scene of protracted illness, with sleepless care and trembling solicitude, proved the irreparable loss to that most tender and delicate part of this worthy and respectable family. The effusions of friendship, here mingling with the severest pangs of family distress, are alone to be appreciated, or at least may be excused, by those whose misfortune it has been both to witness and experience some similar calamity. They ought, however, to act as an awful and daily lesson to all, on the mournful subject of the imperfectibility of all earthly happiness, and teach us to prepare ourselves for a better and more undisturbed existence; whence alone, from such a cheering prospect of eternal life, we can look on and view such temporary evils, with consoling confidence; in scripture, truth triumphantly exclaiming, "O death where is thy sting! O grave where is thy victory!"—Whence too, the husband, son, and even the still more tender fair one, should repress all their griefs and repose their confidence, in the superior bliss of their departed friend and benefactress. To repine at such loss, we should consider, is at once selfishly to prefer *our own* temporary happiness here, to that of the eternal prosperity of our friends in a far better life to which they are removed!

Interesting to the citizens of the United States.

The government of Great-Britain, as a measure of dire neceſſity for carrying on the war, oblige the ſhippers of all goods to the United States to pay an *export duty* of 4 per cent. which is charged in the invoices, and finally paid by the citizens (conſumers of their goods) in the United States. The amount of *Britiſh exports to America*, on an average of ten years, is 23,000,000 annually which, at 4 per cent produces a revenue of 1,000,000 dollars annually paid to Great-Britain by the conſumers of their goods in America. Query. How many uſeful manufactories would this ſum encourage in our own country; and how many able bodied men might be ſecured, by the appropriation of one million of dollars annually, to the encouragement of the mechanic arts?

(*Aurora.*)

FROM EUROPE.

We have this day a few aticles of Foreign Intelligence, four days later than our preceding accounts. Their contents, viewed in their relation to the preſent ſituation of England and her enemies are of no common importance. It has been manifeſt, that without a powerful and vigorous continental alliance, the war, to England would be nothing more than a ſeries of agitations, of petty enterprizes, accompanied with great national expenditures, and decreaſing reſources. To France it could furniſh no means of aggrandizement or glory. It was the warfare of empty threats on one ſide; of defence and recrimination on the other. The perfidious proffer of peace from Bonaparte was rejected by England under the expectation that the negociations then proceeding with certain northern powers, would terminate in a ſolid union of the great intereſts of that quarter of the globe. That this expectation, dictating ſo offenſive a meaſure, could have been grounded on nothing more than mere political arithmetic, without ſome aſſurance from the powers whoſe co operation was anticipated, as a ſuppoſition totally at war with ſtate prudence and common foreſight—Yet it would appear, by the articles in this day's Gazette, either that Ruſſia never contemplated an active interference, or, if ſhe did, that means have been ſucceſſfully employed to turn her from her purpoſe.—We are inclined to adopt the latter as the fact The artful policy of Pruſſia is at all times inſcrutable.—To her influence, if to any, muſt be aſcribed this alteration of the views of Ruſſia—an alteration which we cannot but deem unfortunate for the future repoſe and even exiſtence of every power in Europe.

But the circumſtance of Ruſſia having receded from throwing her weight into the ſcale againſt France, we conſider of great importance to this country; inaſmuch as it cannot fail of being the precurſor of, A GENERAL PEACE. It would be as unavailing as it would be injurious, both to England and France, to protract the preſent mode of warfare. France has already made a declaration of her deſire of peace. It is probable ſhe may now be ſincere in this deſire. England, now cut off from all her hopes of continental alliances, will be urged not only by national intereſt, but by the national impreſſions derived from the powers on the continent with whom ſhe has an underſtanding, to reciprocate this wiſh:—ſo that, admitting the accounts from Peterſburgh, (as given in this Gazette) to be true, we really ſhould not be ſurprized, if the preſent ſummer ſhould produce an *UNIVERSAL PEACE*.

We are the more ſtrengthened in the above opinion by the coincident ſentiments of our London Correſpondent, a gentleman of correct information and ſound political judgment. In his recent letters to us, he has urged the probability of a ſpeedy general peace with very conſiderable force.

(*Phil. Gazette.*)

It is ſaid to be a fact that Commodore Preble, who declines an appointment to the Secretaryſhip of the Navy, is ſoon to be commiſſioned by adminiſtration to make a tour of Great Britain, and viſit the ſeveral navy-yards, for the purpoſe of collecting accurate and uſeful information on all ſubjects connected with the art of naval architecture, or that of maritime warfare. The character of Commodore Preble gives us aſſurance, that he will execute the truſt with abiliſty and fidelity, and that whether in the dock-yards of Europe, or fighting the foes of his country, his whole efforts will tend to its welfare and aggrandizement. *Farmer's Muſeum.*

From a London paper of March 5.

French Naval Force.—We have been favored with the following ſtatement of the preſent naval force of France, by a gentleman who procured it from an officer of one of the French gun boats which were laſt brought into Falmouth:—

*At Breſt.**		Le Pheron	74
Le Vengeur,	120	And one frigate.	
Le Republican,	110	*At L'Orient.*	
L'Invincible	110	L'Algeziras	74
L'Alexandrie	80	*Building.*	
Le Foudroyant	80	Le Regulus	74
L'Impeteux	74	Le Courageaux	74
Le Brutus	74	L'Alcide	74
Le Caſtor	74	And one frigate.	
Le Veteran	74	*At Rochefort.*¶	
Le Pelago	74	Le Majeſteux	120
Le Conquerant	74	Le Magnanime	80
L'Ulyſſe,	74	Le Suffrein	74
Le Courville,	74	Le Lion	74
L'Eole	74	Le Gemappe	74
La Revolution	74	*Frigates.*	
Le Dex d'Aout	74	L'Armide	18
La Conſtitution	74	La Gloire	18
L'Alliance	74	L'Indefatigable	24
Le Batave	74	*Building.*	
Le Patriole	74	La Ville de Paris	120
Le Gauloire	74	L'Achille	74
At Toulon.		L'Ajax	74
Le Formidable	80	*At Nantz.*	
L'Incompatible	80	Le Preſident	18
Le Neptune	80	*At Cadiz.*	
Le Bucentaure	80	L'Aigle	74
L'Hannibal	74	*In Indid.*	
Swiftſure	74	Le Marengo	74
Berwick	74	*Frigates.*	
Intrepid	74	La Belle Poule	—
Le Montelane	74	La Semillante	—
Le Scuffian	74	&c. &c.	
L'Atlas	74	*In America* §	
Frigates.		La Sibelle	—
L'Incompatible	24	La Didon	—
La Corneille	18	La Milanaiſe	—
L'Hontenſe	18	*At Ferrol.*	
Le Rhin	18	Le Heron	74
La Muffron	18	Le Duguay Thoin	74
L'Uraine	18	Le Redoubtable	74
La Sirene	12	Le Fougueux	74
Le Themis	12	L'Argonaute	74
Building.		*Frigate.*	
Le Bornee,	74	La Guegerere	42

* None of the frigates at Breſt are enumerated.
¶ The Rochefort fleet are in the West-Indies.
§ The Sibelle and Didon have arrived in France.

By letters from Liverpool, we learn that the ſhip Briſtol Packet, Day, having ſailed from that port, with a full cargo of Dry Goods, for this port, was boarded by the boat of a Britiſh ſhip of war, who preſſed all her hands; on which the maſter abandoned the veſſel and cargo, to the ſhip of war.—What will be the conſequence time will diſcover.—What our government will do in the buſineſs, requires no conjuration to foreſee.

(*Philadelphia Paper*)

From a Kentucky paper.

INDIAN WAR.—By a gentleman from the lower part of this ſtate [Kentucky] intelligence has been received, that a war council of about 500 Indians, has lately been held at the mouth of the Wabaſh river. This convocation is ſaid to conſiſt of deputies from all the north-weſt tribes. The object of their meeting is, to deliberate on the ſubject of going to war with the Oſage Indians, up the Miſſouri, a nation with whom they have long been at enmity. It was remarked by a gentleman preſent at the council, to a chief, that as Mr. Jefferſon was of a pacific temper, and averſe to the effuſion of blood, he would very probably uſe his exertions to prevent hoſtilities. But the Indians ſeemed to think, that the Preſident had no right to interfere in a matter that peculiarly related to their own ſovereignty. When the gentleman left the Ohio, he had not learned the reſult of their deliberations.

A Shower of Snow Balls.—On Friday laſt, about 4 o'clock, a ſmall cloud appeared in the north-weſt, that aroſe rapidly to the zenith and commenced a diſcharge of ſnow balls about the ſize of walnuts. Ten of them weighed an ounce, after being conſiderably diſſolved.—They were more perfectly in a globular form than I ever ſaw any hail—were quite dry when they fell, and eaſily broken between the thumb and finger. When the cloud appeared the mercury in the thermometer ſtood at 63 degrees of Farenheit's ſcale. The volley of ſnow balls cooled the air ſo much that it immediately fell to 43 degrees. And in a few minutes after the cloud had paſſed the zenith it roſe again to 72 degrees. They have beaten a conſiderable part of the buds of the trees, and I think it likely have injured the fruit trees conſiderably. It extended over about five or ſix miles ſquare, and fell about an inch deep. (*Walpole paper.*)

MELANCHOLY OCCURRENCE.

Extract of a letter from a gentleman in Sunny-town (P.) to the editor of the Reading Adler, dated May 4. 1805.
(Tranſlated for the Baltimore American.)

A few days ago we witneſſed a very dreadful accident. The powder mills and drying houſes of Mr. Daniel Schmidt, diſtant about one mile from this place, were blown up. One of the mills caught fire while working, and inſtantaneously communicated with the other, which ſtood oppoſite, at a very ſmall diſtance, and the two mills, together with the two drying houſes, containing about 2500 wt. of powder, were blown into the air in leſs than 5 minutes. What adds to this dire calamity is, that ſeveral perſons loſt their lives in the exploſion, and ſeveral were wounded.

It fortunately happened that at the blowing up of the mills no perſon was in, but two young men employed in the drying houſes; one of them about 15 or 16 years of age, in attempting to make his eſcape, was ſtruck on his head, behind the ear, by a piece of wood which killed him inſtantly. Among the number of perſons who came to aſſiſt, there was a man named Barger, a carpenter, who worked in the neighbourhood, this humane, though unfortunate man, had the courage to attempt to ſave his fellow creatures. He endeavored to engage the aſſembled people to join him in his noble enterprize, and approached the drying houſe, which was already ſurrounded by fire, heedleſs of the warnings of the people. Alas! it was too late, the drying houſe blew up with a dreadful noiſe, and the unfortunate Barger loſt his life, and ſeveral others were much wounded. His body was ſhortly after found—it was a ſhocking ſight—all his wearing apparel was conſumed, excepting his neckcloth and one ſtocking; his breaſt was torn to pieces, and his face almoſt entirely burnt up.

George Weidemeyer had his left arm broken in three places; his ſhoulder blade torn to pieces; he ſurvived but 15 minutes. Jacob Wagner loſt his right leg below the knee, he lingered till yeſterday when kind death releaſed him from his miſery. There were many others who were ſeverely wounded and hopes are entertained of the recovery of ſome. Barger has left a wife and eight children, and Wagner a wife and 4 children.

From the Newburyport Herald.

We are confirmed in the belief, that there is no foundation in the ſtory from Salem, of the taking of Jamaica, as captain Herrick, whom we have juſt converſed with, ſailed in company with capt. Harridan, and heard nothing of the report when he left the Havanna.

The following minutes are handed to us by captain Herrick:—"I was detained 5 days after I was ready for ſea, in conſequence of my papers being withheld in the American Conſul's Office, was about 90 ſail more, under the ſame detention, the reaſon of which was, Mr. Gray was ſuſpected, impriſoned, and his office ſealed, the 26th April, but was liberated the next day; his office, however, ſtill ſealed and continued ſo, till the 1ſt of May, when it was opened, and his public and private departments overhauled and ſcrutinized. Mr. Gray ſtill holds himſelf as priſoner, but will ſhortly return to the United States, and make repreſentation of the conduct of the Government of Cuba towards the United States; and likewiſe proteſt againſt that government. The detention of ſo many veſſels, and the immenſe property there, cannot be a trifling damage."

At a Diviſion Court-Martial convened at Edmondſon's Tavern, in the County of Hanover, on Monday the 20th and adjourned from day to day, until Wednesday the 22d day of May, 1805, under the orders of Major General Henry Lee, for the trial of Major William Truehcart, of the 74th Regiment, arreſted by order of Brig. General Thomas White, on a compliaint of Enſign William Starke, of the ſaid 74th Regiment.

PRESENT,
Brigadier General EMANUEL WILLS,——Preſident.
LIEUTENANT COLONELS,
John Mayo,
William Walker, and
Paul Micou.
MAJORS,
Joſeph Cutchen, Baylor Fleet, and
John Dangerfield, Dolphin Driver.
Samuel Coleman,
CAPTAINS,
Robert Hill, Carter Wood,
Thomas Roane, Wiley Campbell,
Thomas Wood, Edward Hallam,
Bathurſt Jones, and
Eliſha Price, Taliaferro Hunter.

THE Court, on conſideration of all the circumſtances of the caſe, and as well the evidence brought forward on the part of the commonwealth, as that exhibited by the arreſted party, are unanimously of the following opinion: "That the charges alledged by Enſign William Starke, againſt Major William Trueheart, are without foundation, vexatious, and fraught with the moſt pernicious tendency towards the harmony, diſcipline, and good order of the Militia Eſtabliſhment of this Commonwealth—and are of opinion, further, that the ſaid Maj. Wm. Trueheart be acquitted of the ſaid charges, and reinſtated in his command; it appearing fully to the ſatisfaction of the Court that there was no juſt ground for the aforeſaid arreſt: On the contrary, the Court are deeply impreſſed with an opinion that Major William Trueheart has regularly conducted himſelf in an upright and officer-like manner, in the diſcharge of his official duty. The Court are alſo of opinion that the conduct of Enſign William Starke, in cauſing Major Trueheart to be arreſted, merits their high diſapprobation, in as much as that he (Enſign William Starke) was not ſufficiently informed as to the ground on which he demanded the arreſt of Major Trueheart, and muſt, contrary to the dignity of an officer, have ſuffered himſelf to become an inſtrument under the guidance of ſome evil diſpoſed perſon, whoſe object was more to gratify perſonal views than to promote public utility."

(SIGNED) EMANUEL WILLS, Preſident.
ATTEST SAML. COLEMAN, Judge Ad.

Copy—Attest,
SAMUEL COLEMAN, Judge Advocate.

A letter from G. BARON, one of the editors of the Mathematical Correſpondent, to the Rev. THOMAS P. IRVING, Newbern, North-Carolina, announcing the publication of an Engliſh edition of a celebrated analytical work.

SIR,

I have juſt received from London, a copy of the *Analytical Inſtitutions* of the very learned Italian lady Donna Maria Gaetana Agneſi, late profeſſor of the mathematics and philoſophy in the Univerſity of Bologna. This work, well known and juſtly valued on the continent of Europe, was publiſhed at Milan, in the year 1748, when the celebrated author was about 28 years of age. The learned and ingenious John Calſon, M. A. F. R. S. &c. who was well acquainted with what had appeared, on the former ſubject, in the work of thoſe ingenious men, Emerſon, Maclaurin and Simpſon, found, after all, the *Analytical Inſtitutions* of Agneſi, to be ſo excellent, that he was at the pains of learning the Italian language, at an advanced age, for the ſole purpoſe of tranſlating that work into Engliſh, for the benefit of the Britiſh youth. This great deſign he lived to accompliſh, and had actually tranſcribed a fair copy for the preſs when death put an end to his labors.—Mr. Calſon's manuſcript remained many years in obſcurity, and might probably have been conſigned to eternal oblivion, had it not been for the active and liberal ſpirit of Baron Maſeres, the great encourager of Mathematical learning in England.

Vir in rem mathematicam promovendam natus.

This noble patron of ſcience and generous rewarder of mathematical merit, reſolved to bear the whole expence of the handſome Engliſh edition of the Inſtitues lately publiſhed; and to render the work as correct as poſſible, he employed the Rev. J. Heelings, a man eminent for mathematical knowledge, to ſuperintend the printing of the ſame. To delineate the merits of this work, and the handſome manner in which it is executed, would far exceed my preſent limits; I ſhall therefore only inform you that the work contains 623 large quarto pages, bound in two volumes, and that in my opinion it is, without exception, one of the beſt and moſt uſeful treatiſes on the ſubject now extant. The firſt volume treats of Algebra, and contains a vaſt number of ingenious geometrical conſtructions, deſigned to exhibit and illuſtrate the nature and reſolution of Algebraic equations; the ſecond includes the doctrine of fluxions, applied to a great variety of uſeful and ſublime ſubjects. Convinced that this excellent work might be of great benefit to yourſelf and the public, I have been induced to write through the medium of the public papers.

I am, Sir, yours, &c.
G. BARON.

New York, May 14th, 1804.

N. B. The editors of papers, who are friendly diſpoſed to the promotion of ſcience, will confer a public benefit by noticing the work above mentioned.

MERINO SHEEP
LATELY INTRODUCED INTO ENGLAND.

The following facts are extracted from London papers, of the 5th and 6th of March, 1805.

At lord Somerville's cattle ſhew, on the 5th March laſt, which was attended by a great number of noblemen, gentlemen and perſons engaged in the promotion of rural and domeſtic economy, it was ſtated that the wool of the Spaniſh breed of ſheep imported into England, inſtead of loſing, had increaſed in fineneſs; & that there was proſpect a ſufficient quantity might ſoon be produced to ſupercede the neceſſity of foreign importation for the woollen manufactory.

One Merino ram was let for two ſeaſons, for 111 guineas, and another for 110.

The firſt Merino lamb was ſold to Mr. Buckingham for 32 guineas; ſecond to Mr. Weldman for 28 guineas; third to Mr. Blake for 31 guineas—and a Southdown and Merino ram to the earl of Bridgewater for 35 guineas.

Many premiums were adjudged and preſented for excellence in different branches of improvement in agricultural purſuits.

NEW-ORLEANS, March 30.

On Thurſday night laſt an attempt was made at an early hour to ſet fire to the cuſtom houſe; fortunately it was diſcovered in time to prevent injury. This attempt ought to put every citizen on his guard. The recent attempts on ſtores, and this to fire the city, ought to excite alarm and vigilance. We will again call the attention of the city council to the ſubject. We are perſuaded that, happy improvements can be made in it, and the danger to which our city is expoſed from incendiaries, and our citizens from the plunder, call loudly upon the council for the moſt prompt and active meaſures. It may be ſaid we wiſh to excite alarms without a cauſe; but we think ſufficient cauſe for alarm exiſts; and we wiſh to create a watchful vigilance, that the diſturbers of the ſafety and quiet of our city, may be detected and puniſhed.

NEW YORK, May 20.

The editor of the Bahama Royal Gazette in his paper of the 3d inſt. informs us that the captain of an American veſſel, which had been detained at Barracoa by a French privateer, arrived at Principe on the 17th ult. with the intelligence that a day or two previous to his having made the windward iſlands he had been 36 hours in company with an Engliſh ſquadron, conſiſting of twenty five ſail of the line, frigates, and brigs, deſtined for the Weſt Indies.

On the 24th of March the Britiſh Houſe of Commons went into a committee on the commercial treaty with America, and agreed to a reſolution to permit America to trade with that country in neutral bottoms under certain reſtrictions. The houſe being reſumed, the report was received, and a bill ordered.

May 21.

A gentleman who came paſſenger in the ſchooner Venelia, from Martinique, informs us that a report prevailed there of the Toulon fleet, under Admiral Gantheaume, having arrived in the Weſt-Indies, with 15,000 troops on board, deſtined to make an attack on the iſland of Jamaica. Captain Harraden, who arrived at Salem on Wedneſday in twelve days from the Havanna, (and is repreſented in the Salem Regiſter as a perſon of undoubted veracity) corroborates this account; and adds, that the fleet conſiſted of eleven ſail of the line and eight frigates; that they had landed troops at the north ſide of the iſland of Jamaica; that they had taken two or three of the ports, or poſts; and that they were on their way to Kingſton. Captain Harraden on the 6th inſtant ſpoke an Engliſh ſloop of war, out one day from New-Providence, the commander of which informed him that Jamaica had been taken by the French.

PHILADELPHIA, May 21.

Chevalier de Foronda, Conſul General from his Catholic Majeſty to the United States, announces to the merchants and traders thereof, his having this day received official information from the intendant of the Havanna, of the admiſſion there of dry goods, liquors and proviſions, in neutral veſſels, under ſimilar reſtrictions as thoſe impoſed on the commerce of Spain—obſerving as an indiſpenſable circumſtance, in order to be admitted to an entry, that ſuch veſſels muſt have their clearances direct for ſaid port.

Conſular Office, May 18, 1805.

May 22.

The brig Virginia, captain Davis, left Bordeaux on the 5th of April, and brings us a regular file of the Paris Moniteur to the 1ſt. We have anticipated, by way of Boſton, all that is politically intereſting in theſe papers, which are principally engroſſed with addreſſes to the Emperor on his acceptance for a limited time of the crown of Italy. We learn verbally that the Breſt and Toulon fleets had not ſailed; and that the markets were good at Bourdeaux for coffee, cotton, cocoa, tobacco, pepper, and nakeens.

ON MONDAY NEXT
Will be Publiſhed, and Sold at the
Printing-Office of AUGUSTINE DAVIS,
A CHOICE COLLECTION OF
HYMNS & SPIRITUAL SONGS
Selected, corrected and revised by J. COURTNEY, Sen.

In this ſelection, the reader will find, that partiality has been avoided, and that, this Collection, which compriſes upwards of 300 pages, is calculated to ſuit all denominations of Chriſtians.

Wedneſday, 29th May, 1805.

Ten Dollars Reward.

LOST, on Saturday laſt (in Henrico Court-Houſe, or in the ſtreets between that and the reſidence of the ſubſcriber,) A BUNDLE OF PAPERS, marked "*Henrico May term*, 1805." Within this bundle were manifeſts for twenty hogſheads tobacco, ſundry accounts, notes and other documents, relative to ſuits depending in that court, and were ſubdivided into ſix bundles, and marked 1ſt, 2d, 3d, 4th, 5th and 6th day.

Those papers cannot be of any poſſible utility to any one except the ſubſcriber and his clients—the tobacco mentioned in the manifeſts having been ſome time ſince delivered by the inſpectors at Shocko warehouſe, and ſhipped.

Upon a delivery of thoſe papers, I will give the above reward, and aſk no queſtions in relation to them. But if ſtolen, I will give ONE HUNDRED DOLLARS for ſuch information as may lead to a conviction of the culprit.

SAMUEL M'CRAW.

Richmond, May 17. tf

Richmond, May 27th, 1805.

TO BE RENTED,

THE houſe on the main-ſtreet, lately occupied by Mr. Samuel Myers, adjoining the ſtore of Meſſrs. Robert & Allan Pollok & Co. and oppoſite to the Union Tavern. Upon the firſt floor, are a Store Room and a Counting Room. The apartments in the ſecond and third ſtories are calculated for the accommodation of a family.—For terms enquire of

JOHN BROWN.

WE the ſubſcribers do hereby certify, that we were this day preſent, when Mr. Richard Graves called on Mr. Samuel Pryor, and ſtated, that he had been informed, that a report was in circulation, that he the ſaid Pryor had threatened to horſe-whip the ſaid R. Graves and his two brothers, William and Edmond V. Graves, the ſaid R. Graves then demanded of ſaid S. Pryor, whether he had ever exhibited threats of this or any other kind againſt him or his brothers; whereupon the ſaid S. Pryor declared that the report was groundleſs, and that he had never in private or public exhibited any ſuch threats; and if the ſaid R. Graves could diſcover the author of ſaid report, that he the ſaid Pryor would go to any place and pronounce that he or they had been guilty of propagating that which is falſe and unjuſtifiable.

THO'S E. STUART.
FR'S. OTEY.
RICHARD ALLEN.
ARCHIBALD LACY.

New-Kent court-houſe, 18th May, 1805. 1*

BROKER's OFFICE.

The Subscriber has opened a

Broker's Office,

OPPOSITE the Union Tavern and over the counting house of Messrs. Thomas & Amos Ladd. All business confided to him will be transacted with strict fidelity.

THOMAS NORVELL.

Richmond, March 11, 1805.

HE HAS FOR SALE,

A few Shares

IN THE

Manchester Turnpike;

ALSO,

State Certificates,

Bearing six per cent. interest.

For Sale,

YARMOUTH,

LYING in James City county, on Chickahomony River, ten miles from Williamsburg. The improvements are, a two story brick house, with two rooms and a passage above and below; porticoes on each side; a large and capacious barn, and three other out-houses. The whole tract, including an Island, in view of the house, high and low land with marshes, contains about 2700 acres; scarcely one third of which is cleared. Two thirds of the Island is arable, which, with the land adjoining the house, is of superior quality. Adjacent to the Island are two bold and navigable creeks, with a convenient landing to each. The range for cattle is very extensive, and the marshes and meadows will supply an abundance of hay. Fish and wild fowl, in their respective seasons, may with ease be obtained at your door. The orchards, consisting of the greatest variety of all kinds of fruit, selected with care, are now in their prime. The terms will be made known by William Berkeley, of Richmond, William Randolph, of Wilton, or the subscriber. PEYTON RANDOLPH, Jun.

For ELIZ. INNES.

November 6th, 1804.—(2wN.—1aw.D.&J 2aw af.f.

NOTICE.

ALL persons indebted to the late firm of *Buchanan, Dunlop & Co.* of Petersburg, *Robert Pollok & Co.* of Richmond, and *Dunlop, Pollok & Co.* of Manchester, are hereby notified, that JAMES DUNLOP, late a partner in the above concerns, has become purchaser of all the outstanding debts: They will therefore be pleased to make payment to Mr. JOHN TOMPKINS, residing in Richmond, or the subscriber, residing in Petersburg—who alone are authorised to make collections, and grant discharges. Suits will be indiscriminately commenced against all who do not make payment before the 1st February next.

JOHN DUNLOP,
Attorney for JAMES DUNLOP.

Petersburg, Nov. 15, 1804.

J. TOMPKINS,

RESPECTFULLY informs those concerned, that he has removed the BOOKS and PAPERS of the late concern of ROBERT POLLOK & Co. and DUNLOP POLLOK & Co. to a new brick house near the Basin, and directly opposite to the Scale-House—

Where he has for Sale.

A few Pipes of old Cogniac Brandy,

of superior quality.

Richmond, December 12th, 1804

Notice

IS hereby given to the creditors of *Hooper & Toler*, against whom a commission of bankruptcy has been issued according to law, that the commissioners and assignees of their estate will meet at their office in the city of Richmond, on Saturday the first of June next, at 11 o'clock A. M. in order to make a dividend of their estate and effects; when those creditors who have not proved their debts, must come prepared, or they will be excluded the benefit of said dividend.

Marcus Elcan, }
William Temple, } Assignees.

Richmond, April 12th, 1805. tds

SALES AT AUCTION.

SIX MONTHS CREDIT.

Agreeable to the last Will and Testament of Mr. JACOB BOCKIUS, *will be sold, on Friday 31st instant, (May) at the house formerly occupied by said Bockius in this city,*

FIVE very likely and valuable NEGROES, four of which are men, and well acquainted with the tanning business; the other a woman, accustomed to house business: 2 COWS and 1 HEIFER; 1 Double CHAIR and HARNESS; 1 HORSE, SADDLE & BRIDLE; 1 IRON CHEST—likewise, some excellent Household and Kitchen FURNITURE.

BENJ'N. TATE, } *Ex'ors. of* J.
JOHN PROSSER, } Bockius.

May 10th, 1805. tds

THE Subscriber regrets that he should again be under the necessity of requesting those having claims against the above Estate, to bring them forward for payment; and those indebted to the Estate, will please make immediate payment, or suits will be instituted. JOHN PROSSER.

BUCKINGHAM COUNTY, March term, 1805.

William Brown & Co. Complainants,
Against } In Chancery
Smyth Tandy and Nathan Ayres, Defts.

UPON *hearing the bill of the complainants, and it appearing to the satisfaction of the court, that the defendant Smyth Tandy is not an inhabitant of this state; It is ordered and decreed that unless the said Smyth Tandy shall appear here at May court next, and answer the bill of the complainants, that the same shall be taken for confessed, and the matter therein decreed accordingly; and that a copy of this order be published for two months successively in one of the public newspapers of the city of Richmond, and posted at the front door of the court-house of the said county.* *A Copy—Teste,*

ROLFE ELDRIDGE, D. C. B. C.

☞ I shall depart for the Western country on the 10th of next month. Those gentlemen who with me to settle their taxes in Kentucky, or on the North West of the Ohio, will be pleased to deposit the amount of sums due on their respective tracts, with my commission and charges, at the Office of Messrs. Pickett, Pollard and Johnston. Attention is requested to this notice, as the situation of the subscriber compels him positively to declare, that he cannot, in future, be in advance, even for his best friends.

GEO. CLARKE.

May 4th, 1805. tiof

NOTICE.

THE COPARTNERSHIP OF

ROBERT GAMBLE & SONS,

WILL BE DISSOLVED

BY mutual consent, on Saturday the 11*th. instant.*—All persons indebted to the said *firm*, are earnestly entreated to make immediate payment to *either* of the subscribers. A compliance with this request, will prevent the painful necessity of resorting to coercive measures.

The Books will be placed in the possession of Messrs. John & Robert Gamble, Jun'r, who are authorized to settle all accounts due *by or to the concern.*

ROBERT GAMBLE,
JOHN G. GAMBLE,
ROBERT GAMBLE, JUN'R.

Richmond, May 6th, 1805.

THE SUBSCRIBERS take this method of informing their friends and the public, that they intend carrying on the Mercantile business, under the firm of

John & Robert Gamble, Jun.

They are now receiving by the ship Rolla, a choice selection of London GOODS, and daily expect from Liverpool a general assortment of Hardware, &c. suitable for the season, which will be sold by the piece, package, or dozen, on the most moderate terms, for cash, merchantable country produce, or on the usual credit to substantial and *punctual customers.*

They have on hand, Madeira and Sherry Wine, West-India Rum, Cognac Brandy, Whiskey, Sugar, Pepper, Allum Copperas and Brimstone, (in pipes hhds. and casks,) Cotton and Wool Cards, patent Shot, Steel, Bar Iron, Hollow Iron Ware, German Scythes, Cutting Knives and Whetstones, Oznaburgs, Ticklenburgs, and Brown Hessians, Snuff, Cut Herrings, &c. They also possess large and convenient *Brick* Warehouses covered with *Slate*, for receiving and storing Flour, Tobacco, &c.—Those gentlemen who favor them with consignments, will find their charges reasonable; and may rely on their best exertions to afford satisfaction.

☞ The highest rates given for good Bees-wax, Bear, Deer, and Otter Skins, and other shipping Furr.

JOHN G. GAMBLE,
ROBERT GAMBLE, JUN'R.

THE SUBSCRIBER (*Robert Gamble, Sen.*) avails himself of this opportunity, to thank his numerous friends for the large share of patronage he has received in the mercantile line, and hereby tenders to the public, his future services as a *COMMISSION MERCHANT.* He flatters himself his long experience (with other circumstances unnecessary here to mention) entitles him to the confidence of those who may have business of that nature to transact in this city; assuring such, of his best endeavors to merit approbation.

Those who yet remain indebted to the late firms of Gamble & Gratton, of Staunton; of Gamble & Temple, Robert Gamble & Co. and Robert Gamble, of the city of Richmond, are oncemore earnestly requested to make *immediate* payment of their respective balances—such as continue regardless of this last notice, cannot expect longer indulgence.

(tf.) ROBERT GAMBLE.

VIRGINIA:

At a Superior Court of Chancery, holden in Richmond, the 22d day of March, 1804,

BETWEEN

ROBERT ROSE, Plaintiff,

AND

HENRY ROSE, Defendant.

THE defendant not having entered his appearance and given security according to the act of Assembly and the rules of this court, and it appearing to the satisfaction of the court, that he is not an inhabitant of this country: On motion of the Plaintiff, by his counsel, *It is ordered*, that the said defendant do appear here, on the first day of the next September term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some Newspaper published in the city of Richmond, for two months successively, and posted on the fron door of the capitol in the said city.

A Copy—Teste,

P. TINSLEY, c. c.

VIRGINIA:

In the Superior Court of Chancery, holden in Richmond, March, 22d, 1804.

BETWEEN

Robert Innes, Administrator, of Hugh Innes, dec.—Plff.

AND

William Donalson, Administrator of John Donalson, and Daniel Call, Defendants,

THE defendant, William Donalson, not having entered his appearance and given security according to the act of Assembly and the rules of this court, and it appearing to the satisfaction of the court, that he is not an inhabitant of this country: On the motion of the plaintiff, by his counsel, *It is ordered*, that the said defendant do appear here, on the first day of the next September term, and answer the bill of the plaintiff; and that a copy of this order be forthwith inserted in some Newspaper published in the city of Richmond, for two months successively, and posted on the front door of the capitol in the said city.

(A copy)—Teste,

PETER TISNLEY, c. c.

TEN DOLLARS REWARD

BROKE away last evening, a large stout made blood bay HORSE, upwards of 5 feet high, 7 years old last spring, was shod all round about two months ago, but some of the shoes may now be off; he has a large head and small eyes; trots and gallops; if he has any other marks by which he might be distinguished, they are not recollected. He had on a saddle a good deal worn, with a hogskin seat and plated stirrups. The above reward will be paid on delivery of the horse and saddle to the subscribers.

Pickett, Pollard & Johnston.

Richmond, March 5th, 1805.

Virginia:

At a Superior Court of Chancery holden in Richmond,

BETWEEN

Thomas Fitzhugh, and Nancy his wife, Plffs.

AND

Henry Rose, one of the heirs and executors of John Rose, Robert Rose, another heir of the said John, Alexander Rose, another heir of the same John, and devisee of Charles Rose, deceased, and Catharine Rose, relict and widow of John Rose, and Maria Moore Rose, Defendants.

THE defendant, Henry Rose, not having entered his appearance and given security according to the act of Assembly and the rules of this coutr, and it appearing to the satisfaction of the court, that he is not an inhabitant of this country: On motion of the plaintiffs, by their counsel, *It is ordered*, that the said defendant do appear here, on the first day of the next September term, and answer the bill of the plaintiffs; and that a copy of this order be forthwith inserted in some Newspaper published in the city of Richmond, for two months successively, and posted on the front door of the capitol in the said city.

A Copy—Teste.

PETER TINSLEY, c. c.

FIVE DOLLARS REWARD,

Or Twenty-Five if taken out of the state, and all necessary charges paid.

WENT off from my plantation, on James river, on Sunday the 14th this month, a Negro Man named JOHN. He is about 24 years of age; five feet seven and a half inches high; brown complexion; well made; stoops a little when walking; down look; a small scar on his neck; had on when he went away a short blue cloth coat, grey cloth pantaloons, new shoes, and a white linen shirt. He may probably make toward the north, as I took him out of Baltimore jail 15 months ago, having got that far on his journey. All masters of vessels or other persons, are cautioned against taking him out of the county or state.

He has a pass and may get the date altered.

J. GUNN.

April 18.

JOHN SPINDLER

RESPECTFULLY informs the Ladies and Gentlemen of Richmond, that he intends to teach DRAWING, PAINTING in Oil, Colour and Crayons—and would instruct 6 or 8 Pupils in these branches, either by waiting on them, or at his house opposite Thomas Wilson's, esq. back street.

N. B. Sign, House and Military Colours, painted by J. S.—☞ Orders from the country punctually attended to. January 1, 1805.

PRECIPITATE,

IMPORTED by Mr. Lightfoot, of Sandy Point, last winter, full 5 hands and a half high, will stand at my stable in Chesterfield county, Appomattox River, 15 miles above Petersburg, to be let to mares at Ten Guineas a mare, two of which will be remitted, if paid within the season, which will commence the tenth of March, and expire the first of August next. Board of servants, *gratis*; mares may be fed at two shillings per day. I have large and extensive pasturage, divided in five different inclosures, that mares with foal may be kept distinct from barren mares. One dollar to the groom. No liability for accidents of any description.

PRECIPITATE was bred by Lord Egremont, foaled in 1787, got by Mercury, (a son of Eclipse) dam by Herod, his grandam Maiden by Matchem, out of Mr. Pratt's old Squirt mare; her dam by Mogul—Camilla by Bay Bolton—Old Lady Dam of Sterling by Pulleine's chesnut Arabian—Rockwood Bunler.

PERFORMANCE.

In the first spring meeting, 1790, at New Market, when three years old, he won the first class of the Princes Stakes of 100 guineas each, beating Thunderbolt, Chanticleer, and Sir Peter Pepper, four having paid forfeit. In the same week he won the the Bolton Stakes of 50 guineas each, beating Chamboce, Dragon and Pallafox; seven paid forfeit. And in the same week he received 100 guineas forfeit from Lord Grosvenor's Radamanthus.

In 1792 he won 50l. at Guildhald, beating Dodge, Thunderbolt, Sarmgapatam and Stout; the next day 50l. at the same place, beating Cardock and Griffin. He also won the King's 100 guineas at Lewes, beating Skyscraper, at three heats, the first being a dead heat. After which he was so highly esteemed that he become a stallion in his lordship's stud at 12 guineas a mare. This horse is the sire of the following running horses in England: Johnquil, Petworth, Matrana, Rotalba. Chesnut Colt out of Bobtail, Chesnut Colt out of Rosemary, Humbug, Lazarus, Raginier, Apollo, Gulliver, Tag, Louisa, Tipstaff, Mr. Heathcote's Filly out of Reeves, Alchymist, Clodhopper, Grey Filly his R. H. Lampadosa, Mars, Mary, Matrance, Bay Filly Mr. Brown's, Grey Filly, Mr. Radcliff's, Tax, Tipstaff and Bobtail. THOMAS GOODE.

February 20th, 1805.

For Sale, or Lease,

THAT large and convenient TAVERN, situated in the centre of the town of Lynchburg, at the corner of the street leading to the court-house and jail, and not more than thirty yards from both, opposite Lynch's warehouse and the street leading from the ferry in the said town. The tavern contains four rooms and a bar on the first floor, including two very large rooms, suitable for a ball and dining room, with a sliding partition to the ball room. The second floor contains six rooms, one the size of the ball room, and the others suitable for lodging rooms, with an excellent garret. This tavern has a large portico the full length of the house, also a good dry cellar, and a well opposite the door, together with a kitchen, smokehouse, dairy, and a stable with twenty two stalls therein, with a spacious garden and yard leading to the stable.—Other improvements will be made to suit the purchaser or leaser. It is deemed unnecessary to state the great value of the above property, or say more as to the advantage arising from so central and eligible a stand for a tavern, as it is presumed no person would be inclined to purchase or lease the same without viewing the premises, there being no doubt but they would be better satisfied after seeing the convenient situation, than any information they could get from this advertisement.

A liberal credit will be given to any person desirous of the purchase, or an advantageous lease.

For further particulars apply to William Rose, jr. Richmond, or the subscriber residing about three miles from Lynchburg.

SAMUEL SCOTT.

ELLIS & ALLAN,

Have received by the Rolla from London, part of their

SPRING GOODS,

amongst which are the following articles:

LONDON Superfine Cloths and Cassimeres,
Quiltings and Dimities,
Handsome fashionable worked and laced Muslins,
3-4, 8-4 and 10-4 Diapers,
8-4, 8-10 and 10-16 Damask Table Cloths,
Gentlemen's white and brown Cotton Stockings,
Ladies' elegant laced white do.
Do. Tortoise-shell bent and braid Combs,
Chintzes, Calicoes and Furniture,
Gentlemen's black fashionable Hats,
Do. drab beaver do.
Do. do. patent silk do.
Umbrellas,
Boys' Morocco Caps, plain and furr'd,
Best Hemp Roles,
English White Lead, Spanish Brown, Yellow Ochre, ground in oil, and Verdigrease,
Prussian and Fig Blue,
Best Boiled Oil in jars,
Durham Mustard, &c. &c.

Which added to their present stock, and those expected (daily) from Liverpool, will render their assortment general.

May 7th, 1805. (tvtf.)

To be published in a few days,

BY RITCHIE & WORSLEY, AND A. DAVIS,

(In one large vol. 8vo.)

THE DEBATES AND OTHER PROCEEDINGS OF THE VIRGINIA CONVENTION.

The following Preface will serve to explain the interesting contents of the work, and the amendations which have been introduced into the present edition.

ALMOST immediately after the revolution, the inefficacy of the confederation, and the necessity of a better system of general government for the United States, were universally admitted. This necessity was so strongly felt, that all the states, with the exception of Rhode-Island, deputed to a general convention to be held in Philadelphia, some of their most distinguished statesmen, orators and patriots, in order to provide some remedy for the evil; which could only be effected by amending the *old*, or devising a new federal constitution.—That enlightened assembly deeming the confederation radically defective, and susceptible of improvement, devised the present constitution of the United States.

This was a spectacle, which the political annals of the world had never before displayed. Almost all the governments which had preceded it, had been the offspring of force, or fraud, or ill-digested policy. They had been founded by the despotic power, or the intriguing arts of a few designing men. All the improvements which had been introduced into their fundamental principles, had flowed from the unobserved innovations of time, or sprung from the insurrective impulse of the nation. It was left to the United States to exhibit the unprecedented spectacle of a people calmly electing representatives to organise the plan of a written constitution, founded upon the imprescriptible rights of man, and uncontaminated by peerage or privilege.

The work of so august a body, all the members of which were of very respectable, and some of pre-eminent talents, necessarily commanded great respect. It was no sooner published, than it became the general topic of discussion every where throughout the United States.—All the people from Georgia to New-Hampshire were animated by the subject.—The mechanic, and farmer were as eagerly engaged in the investigation, as the man of science or the professed politician. The presses teemed with essays for and against it. Its advocates and opponents were equally enthusiastic:—but though the powers of argument and language seemed to be exhausted, the discussion was amicable and candid. No indecorums of violence or expression interrupted the harmony of their public or private debates: no malignant abuse or virulent scurrility disgraced their writings. Happily for the people of America, party spirit, that bane of social happiness, was then unknown to them. Hence the minds of the great body of the people became more enlightened on the science of government than perhaps the people of any other country ever were before. It was indeed a sublime spectacle, to behold all the inhabitants of a free and enlightened community, in time of profound peace, engaged in canvassing the merits of a new plan of government, formed for their consideration and at their own request, by a select body of their wisest and best citizens!

The people being thus informed, every state selected some of its ablest citizens to convene for the purpose of deliberating on the merits of the proposed constitution. Virginia was in this respect second to none of her sister states. In almost every county, citizens, conspicuous for their talents and integrity, were chosen. No citizen was excluded from a seat in the convention, (as from the ordinary legislature) because he enjoyed an executive or judicial office; the governor, the chief justice, other judges, and the attorney general of the commonwealth, were all members of this most respectable assembly.

This convention was not collected into secret conclave. It was not to deliberate on subjects of limited or evanescent importance. But it was held in the face of the universe; and the whole universe might have seen it engaged in a discussion, the most interesting of all to a free people. It was not whether they should select a king or a parcel of nobles, to rule over their country; it was not to decide whether they should enlist themselves under the banners of a white or a red rose; whether they should select "a Cyrus or an Antaxerxes, a Mahomet or a Mustapha" to sway the sceptre of empire—but to decide how they should best organise a system of policy, which might perpetuate and perhaps *immortalize* the existing liberties of the nation. The members of the convention differed about subordinate expedients: they differed about the propriety of previous or subsequent amendments—But on the fundamental principles of the constitution, on the sanctity of the *will of the people*, on the interminable inviolability of the *rights of man*, there was but one sentiment and one voice. At every successive step of the discussion, it was marked and ennobled by the same undisguised dignity of sentiments. Every speech breathes the spirit of a freeman; and should the following record descend to an enslaved posterity, every page will become a monument of the political purity of their fathers, and of their own disgraceful degeneracy.—Should the footsteps of a tyrant hereafter contaminate the soil of our country, the "Debates of the Virginia Convention" will, probably, be among the earliest victims of a suspicious proscription.

The talents of these statesmen were scarce inferior to their independence. They had been culled from the mass of the people, to represent their most important interests; and the people, regardful of the importance of the trust, had selected their most enlightened friends to decide upon the constitution. It was an assembly of the most eloquent, the most experienced, and most sagacious statesmen in Virginia; many of whom had already filled the most honorable offices under the confederation or the commonwealth. Inexorable death has robbed us of many; yet many of them still survive to direct the affairs of their country. The eloquence of Henry is now mute. The Roman energy of Mason has expired. Pendleton is slumbering under the laurels of the tomb: and the genius of Grayson is gone forever. Yet, when this convention assembled, Henry, and Mason, and Pendleton, and Grayson, were among the living ornaments of their country. These were the contemporaries and fellow-labourers of men, who still occupy the most distinguished stations. Among these let us mention the present venerable Chancellor of Virginia: the Secretary of State: the Chief Justice of the United States: and our indefatigable minister at the court of London. When such talents were combined with such an unshackled and manly spirit of investigation, what could have been expected but luminous and valuable discussions?

The great and general eagerness to know their deliberations, induced the publication of these debates, which were taken down in short hand, as fully and accurately as an ineligible seat, and other disadvantageous circumstances (explained in a note at the end of this preface) permitted the stenographer to take them.

Though they are much more detailed than such debates usually are, and though he was governed by the most sacred regard to strict justice and impartiality, in taking and transcribing them; the peculiarity of his situation must have rendered the publication imperfect, and perhaps in some (he hopes few) instances, have occasioned a misconception of the meaning of the speakers. Yet the substance of those debates was so interesting, that the work met with general approbation; and a much greater number of volumes might have been easily sold, than were published. The book is now in great demand, and not to be procured. A second edition has been for a long time loudly called for. In compliance with what is conceived to be the general desire, it is now published. In order to make it more acceptable, it has been in part revised and corrected by the same stenographer who took them down. He has excluded, it is believed, most of the errors in the first edition. He has been aided in doing so, by reference to part of the stenographical manuscript which is preserved in his possession; part of it has been destroyed. This revision might perhaps have been *perfect*, could he have had some communication with the speakers on some points. As he could not communicate with *all*, he declined, for obvious reasons, to communicate with any